

BEST AVAILABLE COPY**REMARKS**

In response to the Official Action dated 10/19/2004, the above-identified application has been amended. Review and reconsideration are requested in view of the above amendments and following remarks.

The Examiner objected claims 7, 9 and 15 as to several typographical errors. These have been corrected and the objection should be withdrawn. The Examiner rejected claims 1, 2, 3, 6, 14 and 17 under 35 U.S.C. § 112, second paragraph, as lacking antecedent basis or being indefinite. Likewise, these rejections have been addressed and the amendments are believed to overcome the rejections and withdrawal of the rejections is requested.

The Examiner rejected claims 1, 2, 4-6, 12 and 14-19 under 35 U.S.C. § 102 as being anticipated by U.S. Patent 6,021,907 to O'Brien. The examiner states that O'Brien's cantilevered prong 52 equates to the first means for simultaneously permitting the biasing means 48 to be compressed while allowing an article to be hung between the members and retained therebetween.

This misses a key limitation of the claimed invention. Specifically, the element at issue is the "first means for simultaneously permitting the biasing means to be compressed with part of one's hand while permitting insertion of an article to be hung between the retaining members with *the same hand* whereupon at least a portion of the article can be supportively retained between and by the retaining members. O'Brien provides no such means. Rather, O'Brien appears to be nothing more than clothes pin hanger wherein two hands and two steps are required for hanging the article such as pants. One hand is required to pinch the ends 52 and 52' in order

to open the other ends which then require another hand to insert the article. In the case of hanging pants, for example, this requires inserting one side of the pant in one hanger 46 and then inserting another side of the pant in another hanger 46, both requiring the use of two hands.

The permitting means (side portions 46 of the instant invention) is an outwardly exposed portion which enables the hanging to be performed by a single same hand. Specifically, the knuckles of one's hand can depress the side portion 46 of one retaining plate 42 while permitting one's same hand holding the article to insert a portion of the article between the retaining plate 42 and retaining member 32. The invention provides a useful improvement over the art, particularly for those handicapped and missing a hand or without use of one hand as is often the case with stroke victims. In such situations, the O'Brien device could simply not be used. This is not disclosed or suggested anywhere in the prior art. Withdrawal of the rejection to these claims is therefore respectfully requested.

The Examiner rejected claim 3 under 35 U.S.C. § 102 as unpatentable over O'Brien as applied to claims 1, 2, 4-6, 12 and 14-19 and further in view of (Osmonson '537). Osmonson teaches a flared end. Claims 7-9 were also likewise rejected over these references stating the references disclose a front side hingedly connected to a back side and includes a latch. Applicant asserts that the claimed structure in conjunction with the elements recited in claim 1 is not obvious nor taught by the references. In view of the above amendments and remarks, the claims are respectfully submitted to be patentably distinct over the references.

Accordingly, withdrawal of the rejection is respectfully requested and allowance of the remaining claims is requested at as early a date as possible. This is intended to be complete response to the Official Action dated 10/19/2004.

Respectfully submitted,



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